

REMARKS

The Office Action of January 25, 2008 and the comments in the Advisory Action of May 21, 2008 have been received and their contents carefully considered. An RCE is being filed concurrently to permit further prosecution.

The present Amendment revises claim 1 to stress that the “removable memory” is indeed removable. That is, claim 1 now asserts that the removable memory is connectable to and detachable from the data collection controller. This is supported (for example) by Figure 1 of the application’s drawings. The Amendment also revises claim 1 to provide that data that is entered in code in a code entry section and data in a predetermined data storage is downloaded to the removable memory when a download button is actuated. This is supported (for example) by the paragraph bridging pages 10 and 11 of the application. In addition, the present Amendment revises claim 1 to say that the data that is entered in code in the code entry section “includes a driver code that distinguishes the operator of the vehicle from other vehicle operators.” This is supported (for example) by Figure 5 of the application’s drawings.

The present Amendment also adds a new independent claim 17. It is the same as claim 1, except the “vehicle controller” recitation has been shifted from the body of the claim to the preamble. That is, in claim 17 the “vehicle controller is characterized as part of the vehicle rather than part of the driving information providing system that is claimed.

The Office Action of January 25, 2008 rejects claim 1 for anticipation by US patent 6,310,542 to Gehlot, and the Advisory Action of May 21, 2008 comments generally that claim language is to be interpreted as broadly as is reasonably possible during prosecution. It is respectfully submitted, though, that some of the interpretations advanced in the Office Action and Advisory Action extend beyond what is reasonable. For example, claim 1 recites both “a vehicle

controller” and “a predetermined data storage.” Although Gehlot’s Figure 1 shows both a processing unit 3 and a storage 7, a person who is ordinarily skilled in this art would conclude that a vehicle controller includes a memory. So Gehlot’s storage 7 would not be available as the “predetermined data storage” of claim 1. Claim 1 specifies that the vehicle controller “receives detection signals carrying information about vehicle operation and operating signals from the operator” and generates “control signals for controlling the vehicle.” There is no reason why an ordinarily skilled person would think that Gehlot’s processing unit 3 alone, without the storage 7, could receive detection signals and operating signals from the operator, and generate control signals to control the vehicle.

Claim 1 now provides that data entered in code in a code entry section and data in the predetermined data storage are downloaded into the removable memory when a download button is actuated. The claim now also provides that this data that is entered in code “includes a driver code that distinguishes the operator of the vehicle from other vehicle operators.” Gehlot’s Figure 2 shows four information cards, and the passage at column 4 of the reference, lines 3-8 indicates that one of these cards may include information related to the driver. There is no indication in the reference, though, that the driver information in this card was originally entered by way of a code entry section (dependent claim 16 expressly recites that the code entry section comprises at least one manually operable button, and although Gehlot’s Figure 4 shows a keyboard 5D, nothing in the reference would suggest that this keyboard is used to enter information identifying the driver and that this information is then stored in Gehlot’s card 58).

Accordingly, it is respectfully submitted that the invention defined by claim 1 is patentable over the reference.

Turning now to new independent claim 17, it has already been mentioned that this claim is the same as claim 1 except that the “vehicle controller” has been shifted to the preamble of the

claim and is now characterized as a part of the vehicle. That is, the driving information providing system of claim 17 cooperates with a vehicle that includes a vehicle controller. The revised language of claim 17 lumps Gehlot's processing unit 3 and storage 7 together as part of the vehicle rather than the driving information providing system that is claimed. As a result, the reference does not disclose or suggest a driving information providing system that includes "a predetermined data storage for storing predetermined data selected from the data appearing in the vehicle controller" in accordance with claim 17.

The remaining claims depend from claim 1 and recite additional limitations to further define the invention. They are therefore automatically patentable along with claim 1 and need not be further discussed.

For the foregoing reasons it is respectfully submitted that this application is now in condition for allowance. Reconsideration of the application is therefore respectfully requested.

Respectfully submitted,



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